

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

NO. 07-2360

In Re: E Toys Inc vs.

District Court No. 05-cv-00830 & 05-cv-00831

O R D E R

It appearing that a timely post-decision motion of a type specified by Rule 4[a][4], Fed. R. App. P., is pending in the district court, it is hereby O R D E R E D that the above-entitled appeal(s) is(are) stayed pending disposition of the motion. The parties are directed to file written reports addressing the status of the pending motion on 6/15/07 and every thirty (30) days thereafter until the motion is determined.

This stay does not apply to the obligation to pay filing and docketing fees. These obligations must be fulfilled within the time specified by the Federal Rules of Appellate Procedure and Third Circuit Local Appellate Rules.

It should be noted that appellate review of the district court's decision regarding the post-decision motion requires the party to file an amended notice of appeal within the time prescribed by Rule 4, Fed. R. App. P. measured from the entry of the order disposing of the last outstanding post-decision motion.

For the Court,

Marcia M. Waldron

MARCIA M. WALDRON
Clerk

Date: 5/16/2007

cc:

Robert K. Alber
Mark S. Kenney, Esq.
Honorable Sue L. Robinson [Information Only]
Mr. Peter T. Dalleo [Information Only]